United Nations ECE/MP.PP/2017/13

Economic and Social Council

Distr.: General
19 May 2017

Original: English

Economic Commission for Europe

Meeting of the Parties to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

Sixth session
Budva, Montenegro, 11–13 September 2017
Item 9 (c) of the provisional agenda
Programme of work and operation of the Convention: financial arrangements

Draft decision VI/6 on financial arrangements under the Convention*

Prepared by the Bureau

Summary

The present document contains a draft decision on financial arrangements under the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

The current draft was prepared by the Convention Bureau pursuant to the request of the Meeting of the Parties to the Convention at its fifth session (see ECE/MP.PP/2014/2/Add.1, decision V/7, para. 14).[1]

Following the twentieth meeting of the Working Group of the Parties (Geneva, 15–17 June 2016), the draft decision was distributed to Parties and stakeholders on 27 September 2016, with a deadline of 7 November 2016 for comments.

At its twenty-first meeting (Geneva, 4-6 April 2017), the Working Group considered the draft decision and focused its discussion on the following issues upon which it was unable to reach consensus: the scheme of contributions (e.g., mandatory or voluntary); the use of the United Nations scale of assessments; and an increase in the minimum level of contributions from $500 to $1,000. The Working Group revised and approved, as amended at the meeting, the draft decision on financial arrangements under the Convention (AC/WGP-21/CRP.6/Rev.1)[2] and requested the secretariat to submit it to the Meeting of the Parties for consideration at its sixth session.

* There have been no major substantive changes made to the most recent version of the text, published as document ECE/MP.PP/WG.1/2017/L.6. The present document is therefore being submitted for publication without formal editing.

[1] Available from http://www.unece.org/env/pp/aarhus/mop5_docs.html#/.

[2] Available from http://www.unece.org/index.php?id=43897#/.

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The Meeting of the Parties,

Recalling article 10, paragraph 3, of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention), which states that the Meeting of the Parties to the Convention may, as necessary, consider establishing financial arrangements on a consensus basis,

Also recalling its decisions I/13, II/6, III/7, IV/7 and V/7, through which an interim voluntary scheme of contributions, open to contributions from Parties, signatories and other States having opted to participate in it, has been established and maintained,

Having considered the outcomes of the assessment of the current interim scheme of contributions (ECE/MP.PP/WG.1/2013/9), and recalling discussions and decisions at each previous session of the Meeting of the Parties on financial arrangements under the Convention [about the need to establish financial arrangements based on the goals of stability, predictability and an equitable sharing of the burden],

Recognizing the need to:

(a) Ensure that sufficient resources are available to implement the Convention's work programme for 2018–2021, adopted through decision VI/...;

(b) Ensure a scheme of financial contributions that is transparent and accessible to all Parties, signatories and other States and organizations wishing to contribute;

(c) Establish financial arrangements under the Convention based on the principles of an equitable sharing of the burden, stable and predictable sources of funding, accountability and sound financial management,

Expressing its serious concern that the financial burden has not been evenly distributed during the current intersessional period, with several Parties and signatories not contributing at all,

Believing that alternative options to the financial arrangements in place under the Convention should be considered by the Meeting of the Parties at its next session to ensure that the arrangements meet the goals of stability, predictability and an equitable sharing of the burden,

1. [*Agrees* to continue to use the existing interim scheme of contributions] [*Establishes* a mandatory scheme of contributions] aimed at covering the costs of activities under the work programme that are not covered by the United Nations regular budget, based on the following principles:

(a) The Parties should collectively ensure that the costs of the activities of the work programme that are not covered by the United Nations regular budget are covered through the financial scheme;

[(b) The burden of covering the costs of the activities shall be distributed among the Parties and Signatories to the Convention in proportion to the United Nations scale of assessments,[3] with the indicative contribution of each Party for 2018 being as shown in the annex hereto;

[3] The United Nations scale of assessments is adopted by the General Assembly for a three-year period. It provides the basis for calculating the contributions of Member States to the United Nations regular budget. In December 2015, the General Assembly adopted resolution 70/245 on a scale of assessments for the apportionment of the expenses of the United Nations for the period 2016–2018. As reiterated in that resolution, the fundamental principle for calculating Member States' contributions is that "the expenses of the Organization shall be apportioned broadly according to capacity to pay".

(c) The scale of assessments shall be adjusted so that no Party or signatory is required to contribute more than 22 per cent[4] of the estimated costs to be covered by the scheme;

(d) Each Party or signatory shall contribute each year, as a minimum, the amount derived from applying the adjusted scale of assessments referred to in subparagraph … [above/below] to the total estimated costs of the activities, but each contribution should not be less than stated in subparagraph ... [above/below];]

[(b)] No Party or signatory is expected to contribute less than [500] [1,000] United States dollars for the Convention's work programme in its contribution for a given calendar year;

[(c)] Contributions shall be made in cash and shall not be earmarked for a particular activity;

[(d)] Additional contributions may be made in cash or in kind and may be earmarked for a particular activity;

[(e)] Contributions in cash shall be made through the United Nations Economic Commission for Europe Trust Fund for Local Technical Cooperation (Aarhus Convention project);

[(f)] If allowed by the domestic budgetary procedures of the Parties, contributions for a given calendar year should be made by 1 October of the preceding year, or where this is not an option, it is recommended that contributions are made in the first six months of the calendar year, so as to secure payment of staff costs for the smooth functioning of the secretariat, as a priority, and the timely and effective implementation of the priority activities of the respective programme of work;

[(g)] Parties pledge, where possible, prior to the adoption of a work programme by the Meeting of the Parties, their expected annual or multi-annual financial and in-kind contributions. Signatories, other interested States and organizations may wish to indicate their expected contributions as well;

2. *Requests* Parties to contribute each year or to make multi-annual contributions towards the costs of activities under the work programme, in accordance with the scheme referred to in paragraph 1;

3. *Invites* signatories, other interested States and public entities, as well as the private sector, in accordance with the 2009 Revised Guidelines on Cooperation between the United Nations and the Business Sector,[5] to contribute, in cash or in kind, towards covering the costs of the work programme;

4. *Calls upon* countries with economies in transition to finance to the extent possible their own participation in the activities;

5. *Calls upon* international organizations working in countries with economies in transition to support participation of representatives of these countries and non-governmental organizations in the meetings and other activities;

6. *Encourages* Parties that have historically contributed generously to maintain, or return to, their previous levels of contribution;

[4] In accordance with resolution 70/245, which refers to 22 per cent for the period 2016–2018.

[5] Issued by the Secretary-General in November 2009. Available from http://business.un.org/en/documents/6602.

7. *Requests* all Parties to ensure the equitable distribution of the financial responsibility for implementation of the work programme, and requests the Bureau to liaise with Parties where appropriate concerning the achievement of this goal;

8. *Requests* the secretariat, in accordance with the financial rules of the United Nations, to allocate in the Convention Trust Fund by 1 October of each year the sum required for the extension of the contracts of extrabudgetary staff of the secretariat for the upcoming year, as a priority, and also costs needed for implementation of activities in the first quarter of the upcoming year;

9. *Also requests* the secretariat, in accordance with the financial rules of the United Nations, to monitor the expenditure of the funds and to prepare annual reports specifically indicating contributions, and reflecting any changes to:

(a) The estimated costs of activities for the next calendar year;

(b) The composition of the Parties, for review by the Working Group of the Parties in order to strive to ensure that the level of contributions matches the level of funding needed for the implementation of the work programme;

10. *Requests* the Bureau, with the assistance of the secretariat, to provide an estimation of the operational costs needed for the effective functioning of the Convention, which should be clearly distinct from the cost of other activities which are subject to the availability of resources;

11. *Requests* the Working Group of the Parties to consider, in the light of these annual reports, whether changes would be required in the content or time frame of the work programme, in the event that the level of actual and/or pledged contributions does not match the level of funding needed;

12. *Requests* the secretariat to prepare a comprehensive report on financial matters for each session of the Meeting of the Parties, including information on how much Parties and other participating States and organizations have contributed to the budget of the Convention in cash and in kind, and how the contributions were spent;

13. *Agrees* to review the operation of the scheme of financial arrangements at its seventh session;

14. *Mandates* the Bureau and the Working Group of the Parties to explore in the next intersessional period options for more predictable, stable and equitably shared funding, and requests them to make the appropriate proposals for consideration by the Meeting of the Parties at its seventh session;

15. *Requests* the United Nations Economic Commission for Europe to allocate more resources to support the work under the Convention, noting in this connection the positive evaluation of the Environmental subprogramme during the 2013 review of the 2005 reform of the Commission,[6] and considering, inter alia, the balance in the use of regular budgetary resources in the different subprogrammes.

[6] See *Official Records of the Economic and Social Council, 2013, Supplement No. 17* (E/2013/37–E/ECE/1464), annex III, chapter II.A, available from http://www.unece.org/index.php?id=31965#/.

[Annex

Indicative contributions for 2018

Column A: Countries (Parties and signatories)	*Column B:[a] United Nations scale of assessments (percentage)*	*Column C: Adjusted United Nations scale of assessments (percentage)[b]*	*Column D: Amount to be contributed for 2018 (United States dollars)[c]*
Albania	0.008	0.024	
Armenia	0.006	0.018	
Austria	0.720	2.186	
Azerbaijan	0.060	0.182	
Belarus	0.056	0.170	
Belgium	0.885	2.687	
Bosnia and Herzegovina	0.013	0.039	
Bulgaria	0.045	0.137	
Croatia	0.099	0.301	
Cyprus	0.043	0.131	
Czechia	0.344	1.044	
Denmark	0.584	1.773	
Estonia	0.038	0.115	
European Union[d]	—	—	
Finland	0.456	1.384	
France	4.859	14.752	
Georgia	0.008	0.024	
Germany	6.389	19.397	
Greece	0.471	1.430	
Hungary	0.161	0.489	
Iceland	0.023	0.070	
Ireland	0.335	1.017	
Italy	3.748	11.379	
Kazakhstan	0.191	0.580	
Kyrgyzstan	0.002	0.006	
Latvia	0.050	0.152	
Liechtenstein	0.007	0.021	
Lithuania	0.072	0.219	
Luxembourg	0.064	0.194	
Malta	0.016	0.049	
Monaco	0.010	0.030	
Montenegro	0.004	0.012	
Netherlands	1.482	4.499	
Norway	0.849	2.578	
Poland	0.841	2.553	

Column A: Countries (Parties and signatories)	*Column B:[a] United Nations scale of assessments (percentage)*	*Column C: Adjusted United Nations scale of assessments (percentage)[b]*	*Column D: Amount to be contributed for 2018 (United States dollars)[c]*
Portugal	0.392	1.190	
Republic of Moldova	0.004	0.012	
Romania	0.184	0.559	
Serbia	0.032	0.097	
Slovakia	0.160	0.486	
Slovenia	0.084	0.255	
Spain	2.443	7.417	
Sweden	0.956	2.902	
Switzerland	1.140	3.461	
Tajikistan	0.004	0.012	
The former Yugoslav Republic of Macedonia	0.007	0.021	
Turkmenistan	0.026	0.079	
Ukraine	0.103	0.313	
United Kingdom of Great Britain and Northern Ireland	4.463	13.550	
Total	**32.937**	**100.000**	

[a] Figures in column B are based on the scale of assessments in the draft resolution submitted by the Fifth Committee to the General Assembly. Resolution 70/245 adopted by the General Assembly on 23 December 2015 was not yet available. However, there were no substantive changes made in the text.

[b] The percentages from the United Nations scale of assessments have been adjusted for the Aarhus Convention by using a multiplier of 3.036, in order to arrive at a total of 100 per cent.

[c] Subject to footnote d below on the contribution of the European Union, the figures in column D would be derived by multiplying the percentage value in column C by the annual estimated cost requirement of the work programme, as specified in the decision on the work programme for 2018–2021 (ECE/MP.PP/WG.1/2017/...). The actual amounts for the contribution of each Party and Signatory between 2018 and 2021 will be calculated in due course, subject to the consideration and approval of the draft decision on the work programme for 2018–2021.

[d] A percentage has not been assigned to the European Union, since the European Union is not included in the United Nations scale of assessments and therefore it is not possible to calculate the level of its contribution on the same basis as the other Parties and signatories (i.e., on the basis of the adapted United Nations scale of assessments). In line with the previous contributions, the European Union contribution to activities under the work programme not covered by the United Nations regular budget could account for 2.5 per cent of the total needed for core activities. This commitment is subject to the annual endorsement by the budgetary authorities of the European Union.]